

## Imaged Certificate of Notice Page 1 of 5

United States Bankruptcy Court  
Eastern District of PennsylvaniaIn re:  
Barry Portnoy  
DebtorCase No. 14-16081-mdc  
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0313-2

User: ChrissyW  
Form ID: pdf900Page 1 of 2  
Total Noticed: 1

Date Rcvd: Nov 04, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 06, 2016.

db +Barry Portnoy, 101 Edwards Drive, Richboro, PA 18966-1174

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 06, 2016

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 4, 2016 at the address(es) listed below:

ANDREW F GORNALL on behalf of Creditor M&T BANK agornall@kmlawgroup.com, bkgroup@kmlawgroup.com

DAVID B. SMITH on behalf of Attorney SMITH KANE HOLMAN, LLC dsmith@smithkanelaw.com

DAVID L. BRAVERMAN on behalf of Debtor Barry Portnoy dbraver@braverlaw.com, dmarano@braverlaw.com; dmayfield@braverlaw.com; belle@braverlaw.com; gollotto@braverlaw.com; sine@braverlaw.com

DAVID L. BRAVERMAN on behalf of Defendant Barry Portnoy dbraver@braverlaw.com, dmarano@braverlaw.com; dmayfield@braverlaw.com; belle@braverlaw.com; gollotto@braverlaw.com; sine@braverlaw.com

GAETAN J. ALFANO on behalf of Attorney Michael E. Carson, Esquire GJA@Pietragallo.com

GAETAN J. ALFANO on behalf of Creditor Michael Carson GJA@Pietragallo.com

GARY DAVID BRESSLER on behalf of Interested Party Bonnie B. Finkel, Chapter 7 Trustee of the bankruptcy estate of Demrex Industrial Services, Inc. gbressler@mdmc-law.com, kdeans@mdmc-law.com; sshidner@mdmc-law.com; smullen@mdmc-law.com; jangelo@mdmc-law.com

GARY F SEITZ on behalf of Trustee ROBERT H. HOLBER gseitz@gsbblaw.com, hsmith@gsbblaw.com

GARY F SEITZ on behalf of Plaintiff Robert H. Holber gseitz@gsbblaw.com, hsmith@gsbblaw.com

GILBERT B. WEISMAN on behalf of Creditor American Express Bank FSB notices@becket-lee.com

HOLLY ELIZABETH SMITH on behalf of Trustee ROBERT H. HOLBER hsmith@gsbblaw.com

HOLLY ELIZABETH SMITH on behalf of Plaintiff Robert H. Holber hsmith@gsbblaw.com

JASON BRETT SCHWARTZ on behalf of Creditor The Bank of New York Mellon jschwartz@mesterschwartz.com, jottinger@mesterschwartz.com

JEFFREY KURTZMAN on behalf of Defendant Samantha Portnoy Kurtzman@kurtzmansteady.com

JEFFREY KURTZMAN on behalf of Defendant Altchem Environmental Services, Inc. Kurtzman@kurtzmansteady.com

JEFFREY KURTZMAN on behalf of Defendant Samzach Partners, L.P. Kurtzman@kurtzmansteady.com

JEFFREY KURTZMAN on behalf of Defendant BF Services, L.P. Kurtzman@kurtzmansteady.com

JEFFREY KURTZMAN on behalf of Defendant Sam-Zachary Partners, LLC Kurtzman@kurtzmansteady.com

JEFFREY KURTZMAN on behalf of Interpleader Danielle Portnoy Kurtzman@kurtzmansteady.com

JEFFREY KURTZMAN on behalf of Interpleader SamZach Irrevocable Trust Kurtzman@kurtzmansteady.com

JEFFREY KURTZMAN on behalf of Defendant Zachary Portnoy Kurtzman@kurtzmansteady.com

JEFFREY KURTZMAN on behalf of Defendant Maxsys, Inc. Kurtzman@kurtzmansteady.com

JEFFREY KURTZMAN on behalf of Defendant Danielle Portnoy Kurtzman@kurtzmansteady.com

JEROME B. BLANK on behalf of Creditor Wilmington Savings Fund Society, et. al. paeb@fedphe.com

JOHN E. KASKEY on behalf of Defendant Barry Portnoy Jkaskey@braverlaw.com, dmarano@braverlaw.com; gollotto@braverlaw.com; belle@braverlaw.com; sine@braverlaw.com

JOHN E. KASKEY on behalf of Debtor Barry Portnoy Jkaskey@braverlaw.com, dmarano@braverlaw.com; gollotto@braverlaw.com; belle@braverlaw.com; sine@braverlaw.com

JOHN E. KASKEY on behalf of Attorney Braverman Kaskey PC Jkaskey@braverlaw.com, dmarano@braverlaw.com; gollotto@braverlaw.com; belle@braverlaw.com; sine@braverlaw.com

JON M. ADELSTEIN on behalf of Attorney Adelstein & Kaliner, LLC jadelstein@adelsteinkaliner.com, jsbamford@adelsteinkaliner.com

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Page 2 of 2  
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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

JON M. ADELSTEIN on behalf of Attorney Michael E. Carson, Esquire  
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JOSEPH ANGELO DESOYE on behalf of Creditor Wilmington Savings Fund Society, et. al.  
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JOSHUA ISAAC GOLDMAN on behalf of Creditor M&T BANK bkgroup@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
KATHERINE KAKISH on behalf of Creditor State of Michigan, Department of Treasury  
kakishk@michigan.gov  
KEVIN P. CALLAHAN on behalf of Plaintiff Andrew R. Vara kevin.p.callahan@usdoj.gov  
KEVIN P. CALLAHAN on behalf of U.S. Trustee United States Trustee kevin.p.callahan@usdoj.gov  
KEVIN P. CALLAHAN on behalf of Andrew R. Vara kevin.p.callahan@usdoj.gov  
LYNDSAY ELIZABETH ROWLAND on behalf of Creditor Wells Fargo Equipment Finance, Inc.  
lrowland@starfieldsmith.com, lmstarkman@flammlaw.com  
MARIO J. HANYON on behalf of Creditor Wilmington Savings Fund Society, et. al. paeb@fedphe.com  
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SARAH R. GOODMAN on behalf of Creditor Michael Carson SRG@Pietragallo.com, BLR@Pietragallo.com  
STEFAN RICHTER on behalf of Creditor Southampton Industrial Mews Condominium Association  
srichter@clemonsllaw.com  
STEVEN E. OSTROW on behalf of Interested Party EVC Turnpike Dr., LLC  
ostrows@whiteandwilliams.com  
United States Trustee USTPRegion03.PH.ECF@usdoj.gov

TOTAL: 51

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**In re:**

**BARRY PORTNOY,**

**Debtor.**

)  
)  
) **Chapter 7**  
)  
)  
) **Case No. 14-16081-mdc**  
)

**ORDER**

AND NOW, this 3rd day of November, 2016, upon consideration of the Debtor's Motion to Compel Access to 1320 Industrial Boulevard (the "1320 Property") to Remove Non-Estate Property and for an Accounting (the "Motion to Compel"), the Trustee's Response thereto, and following a duly noticed hearing at which interested parties appeared and were heard by the Court, and GOOD CAUSE APPEARING THEREFOR,

IT IS HEREBY ORDERED that the Motion to Compel is GRANTED, in part, and that, consistent with the Court's comments on the record, the parties shall follow the procedures contained in this Order to enable the Debtor and non-Debtor third parties to remove their personal property from the 1320 Property, including items outside the building but still on the premises, as follows:

1. Within three (3) days from the date of entry of this Order,
  - (a) the Debtor shall identify all non-Debtor third parties that own or control personal property located at the 1320 Property, serve such identification upon the Trustee, and immediately provide a copy of this Order to each such non-Debtor third party; and
  - (b) identify the Debtor's customers for whom the Debtor is holding personal property and which is located at the 1320 Property, and serve such identification upon the Trustee. The Debtor's obligation to identify the names of its customers to the Trustee is expressly conditioned upon the Debtor's prior execution of a confidentiality agreement in form and in substance satisfactory to the Debtor to insure that the Debtor's post-petition business operates without interference. The Trustee and its counsel shall not contact any of the Debtor's customers without further leave of court.

2. Commencing on November 1, 2016 and such other dates as mutually agreed, the Debtor and the non-Debtor third parties identified pursuant to Paragraph 1(a) hereof shall be permitted access to the 1320 Property, under the Trustee's supervision, in order to identify any and all personal property owned by the Debtor and/or the non-Debtor third parties and/or of which they are a custodian. Any non-Debtor third party owning or having custody of any personal property located in the 1320 Property may authorize the Debtor, in writing, to remove the non-Debtor third party's personal property from the 1320 Property on its or their behalf.

3. The Trustee and his professionals shall, on the date and time that access is given, review the Debtor and the non-Debtor third parties' identification (then and there) and designate in good faith all items of personal property that may be removed from the 1320 Property.

4. The Debtor and/or the non-Debtor third parties shall thereupon be permitted to remove such personal property provided that the Debtor and/or the non-Debtor third parties execute and deliver to the Trustee a release relating to the personal property that may be removed on the form provided by the Trustee in its opposition to the Motion to Compel (the "Released Personal Property"). The Released Personal Property shall be removed from the 1320 Property on or before 5:00 p.m. on November 15, 2016, or said Released Personal Property shall be deemed abandoned to the Trustee.

5. To the extent the Trustee does not agree with the Released Personal Property designations by the Debtor and the non-Debtor third parties, the Trustee shall safeguard such personal property and the party seeking recovery of such items may seek a judicial determination from this Court as to its entitlement to such personal property at the continued hearing on this matter, scheduled for November 30, 2016.

6. The Trustee shall return to the Debtor, all of the Debtor's computers and hard drives located at the 1320 Property (the "Computers"). The Trustee's counsel shall maintain in his possession the copies or images of such computer and/or hard drives previously made by the Trustee or his professionals (the "Existing Images/Copies"). The Trustee and his professionals shall not further review any copies the Existing Images/Copies, without the written consent of the Debtor or as permitted pursuant to an Order of the Court. By December 9, 2016, the Debtor shall prepare and provide to the Trustee: (a) an identification of the information on the computers and the hard drives pertaining to the Debtor's estate; (b) an identification of the information on the computers and the hard drives that the Debtor asserts does not pertain to the Debtor's estate; and (c) a privilege log within the meaning of Fed. R. Civ. P. 26(b)(5)(A), for any documents or data on the computers and hard drives of all items that the Debtor believes are subject to the attorney/client or any other applicable privilege. In the event that the Trustee believes he is entitled to review any information on the computers and the hard drives that the Debtor asserts does not pertain to the Debtor's estate and/or is listed on the privilege log delivered by the Debtor to the Trustee pursuant to this Section 6 (each a "Disputed Item" and collectively the "Disputed Items"), the Trustee may ask for in camera review or for a court determination of whether the Trustee is entitled to receive/review the Disputed Items. The Trustee's counsel and Debtor's counsel will jointly modify a version of the Existing Images/Copies so that the Trustee will have full access to all undisputed items thereon. In the event there are any Disputed Items, the Trustee's counsel and Debtor's counsel will jointly modify a copy or image of the Computers

consistent with the Court's ruling on the Disputed Items, so that the Trustee and his professionals will have full access to all items the Court determines the Trustee is entitled to receive/review, and the Trustee will return the Existing Images/Copies to the Debtor.

BY THE COURT:

A handwritten signature in cursive script, reading "Magdeline D. Coleman", written in black ink.

Dated: 11/3/16

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MAGDELINE D. COLEMAN  
UNITED STATES BANKRUPTCY JUDGE